ESTTA Tracking number:

ESTTA387785 01/11/2011

Filing date:

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197225
Party	Defendant Idea Express, Inc.
Correspondence Address	ANDREW D SKALE MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 3580 CARMEL MOUNTAIN RD STE 300 SAN DIEGO, CA 92130-6768 UNITED STATES ADSkale@mintz.com
Submission	Withdrawal Of Application
Filer's Name	Andrew D. Skale
Filer's e-mail	ADSkale@mintz.com
Signature	/ads/
Date	01/11/2011
Attachments	IDEA EXPRESS Withdrawal.pdf ( 3 pages )(9618 bytes )

Attorney Docket: 41351-401-059

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 85/028392 for the mark: IDEA EXPRESS Published in the *Official Gazette* October 5, 2010

CASEWARE INTERNATIONAL INC.	
Opposer,	
v.	OPPOSITION No. 91/197225
IDEA EXPRESS, INC.	
Applicant.	

## EXPRESS ABANDONMENT OF APPLICATION, WITHOUT PREJUDICE

Applicant, Idea Express, Inc., by its attorneys, hereby expressly abandons, without prejudice, its Trademark Application for IDEA EXPRESS No. 85/028392 with the United States Patent and Trademark Office., which is also the subject of the above-referenced opposition proceeding. This express abandonment is not as a result of the Opposer's mark in the pending Opposition No. 91197225, because Applicant strongly maintains there is no likelihood of confusion between its IDEA EXPRESS mark subject to its pending application, and the IDEA mark of Opposer. Rather, Applicant has decided it is in its financial and business interest to simply not pursue this application at this time.

Respectfully submitted,		
By: _	/ads/	_

Andrew D. Skale Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo, P.C. 3580 Carmel Mountain Road, Ste 300 San Diego, CA 92130 Tel: 858-314-1506

Fax: 858-314-1506 Fax: 858-314-1501 ADSkale@mintz.com

Attorneys for Defendant Idea Express, Inc.

Dated: January 11, 2011

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing EXPRESS ABANDONMENT OF APPLICATION, WITHOUT PREJUDICE was served by U.S. mail, first class, postage prepaid, on this 11th day of January, 2011 on the following:

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